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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

HERB REED ENTERPRISES, INC., et  
al.,

Plaintiffs,

v.

JEAN BENNETT, et al.,

Defendants.

2:10-CV-1981 JCM (RJJ)

**ORDER**

Presently before the court is plaintiffs' motion seeking leave to file under seal exhibits to plaintiffs' motion for attorneys' fees and costs. (Doc. #71). Defendant Jean Bennett has not filed an opposition.

Pursuant to Local Rule 7-2(b), an opposing party's failure to file a timely response to any motion constitutes the party's consent to the granting of the motion and is proper grounds for dismissal. *U.S. v. Warren*, 601 F.2d 471, 474 (9th Cir. 1979).

This court previously denied without prejudice plaintiffs' motion for attorneys fees because plaintiffs had not file sufficient billing records to establish the reasonableness of the fees sought. (Doc. #70). Plaintiffs now seek to file billing records under seal as an exhibit to their renewed motion for attorneys fees and costs. Citing *Temporary Service, Inc. v. Camacho*, 272 Cal. Rptr. 352, 358 (1990), plaintiffs contend that their billing rates are trade secrets and request filing such secrets under seal to maintain the confidential nature of the billing rates.

1 In light of the plaintiff's failure to respond and good cause appearing,  
2 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED, that plaintiffs' motion seeking  
3 leave to file under seal (doc. #71) be, and the same hereby is, GRANTED. Plaintiffs shall file  
4 appropriate documentation under seal forthwith.

5 DATED October 18, 2011.

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8 UNITED STATES DISTRICT JUDGE